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**REGISTERED PATENT AGENT

DATE: January 15, 2002

FACSIMILE COVER PAGE

OUR FAX # 949-450-1764

OUR TELEPHONE # 949-450-1750

TO: Examiner Chih-Min Kam, GAU 1653

YOUR FAX #

~~703-308-0294~~

703-305-7401 (1/16/02)

FROM:

Greg S. Hollrigel, Ph.D.

703-746-5038 (1/17/02) 6824

RE:

U.S. Ser. No. 09/489,667; Our Ref. D-2875

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Dear Examiner Kam:

Enclosed is a copy of:

- (i) the Second Response that we discussed;
- (ii) a Transmittal Letter;
- (iii) a copy of the Notice of Appeal filed January 9, 2002; and
- (iv) a copy of the Sequence Listing and Declaration filed September 11, 2001.

Respectfully submitted,


Greg S. Hollrigel (Registration No. 45,374)

FORM PTO-1083 (fee 10/86)

AMENDMENT TRANSMITTAL LETTER

Docket: D-2875

In re application of: Donovan

Serial No.: 09/489,667

Examiner: Kam, Chih-Min

Filed: January 19, 2000

Group Art Unit: 1653

For: CLOSTRIDIAL TOXIN DERIVATIVES AND METHODS FOR TREATING PAIN

Fax No. 703-308-0294

COMMISSIONER FOR PATENTS

Washington, D. C. 20231

Sir:

Transmitted herewith is a Response to July 11, 2001 Final Office Action in the above-identified application.

- ☒ A copy of the Notice of Appeal filed January 9, 2002.
- ☒ Declaration Pursuant to 37 C.F.R. §1.821(f) and paper copy of Sequence Listing.
- ☒ No additional fee is required.

The filing fee has been calculated as shown below:

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA
TOTAL	12	MINUS	66	0
INDEP.	5	MINUS	8	0
[] First Presentation of Multiple Dep. Claim				

SMALL ENTITY

RATE	ADDIT. FEE
x 9	0
x 40	0
+135	0

OTHER THAN
SMALL ENTITY

RATE	ADDIT. FEE
x 18	-0-
x 80	-0-
+270	-0-

Total
Addit. Fee

0

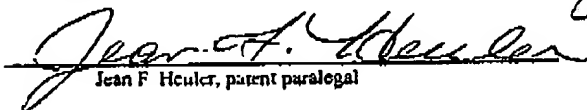
Total
Addit. Fee

0

- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 01-0885.

- ☒ Any additional filing fees required under 37 CFR 1.16.
- ☒ Any patent application processing fees under 37 CFR 1.17.

I hereby certify that this correspondence is being transmitted via facsimile to the Commissioner for Patents in Washington, DC 20231, to fax number 703-308-0294, on or before January 15, 2002.


Jean F. Heuler, patent paralegal

Date: January 15, 2002

Respectfully submitted,


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